

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

LOL FINANCE COMPANY,

Plaintiff,

vs.

**ROBERT P. JOHNSON and KERI J.
MALOLEY, Individually and d/b/a PAUL
JOHNSON & SONS CATTLE CO., INC.,
JOHN DOE, ABC COMPANY, and FIRST
NATIONAL BANK OF OMAHA,**

Defendants

**PAUL JOHNSON & SONS CATTLE CO.,
INC.,**

Third-Party Plaintiff,

vs.

**MAVERICK FEEDERS, INC., a South
Dakota corporation, SHON SAWYER and
JULIE SAWYER, husband and wife,**

Third-Party Defendants.

NO. 09-CV-3224

Judge Kopf

**STIPULATION REGARDING
SANCTIONS MOTIONS**

The parties hereto, by and through their respective counsel, stipulate as follows:

1. The Plaintiff LOL Finance Company ("LOL") and Third-Party Defendant Maverick Feeders, Inc. ("Maverick") have filed several motions with the Court (Filing Nos. 95, 110, 112 & 131) seeking sanctions against Defendant First National Bank of Omaha ("FNBO").

2. Pursuant to the direction of the Court, the parties have conferred in an attempt to resolve the amount of sanctions to be paid to counsel for LOL and Maverick pursuant to the sanction motions.

3. The parties agree that FNBO's former counsel will pay directly to counsel for LOL and Maverick the following sums in full satisfaction of the amount of fees sought by LOL and Maverick pursuant to the sanctions motions:

- a. Counsel for LOL: \$6,360.
- b. Counsel for Maverick: \$3,685.90.

4. The sums listed above will be paid by FNBO's former counsel within seven (7) days after entry of an Order approving this Stipulation. Within three (3) business days after receipt of payment counsel for LOL and Maverick shall file an acknowledgement of payment with the Clerk of the Court.

5. In addition to the above sums, FNBO's former counsel will reimburse counsel for LOL and Maverick the cost of one (1) original and one (1) copy of the transcripts of the depositions of Kari Maloley and Robert Johnson taken on September 2, 2010, and the deposition of Chris Kalkowski taken on September 3, 2010, within seven (7) days after being presented with invoices for the court reporters' charges. Within three (3) business days after receipt of payment counsel for LOL and Maverick shall file an acknowledgement of payment with the Clerk of the Court.

6. If FNBO's former counsel shall fail to pay the sums set forth above by the dates due, then FNBO shall pay the sums within five (5) business days after the dates due.

7. Upon payment of the fees and expenses set forth herein, FNBO and its former counsel shall be deemed to have paid all monetary sanctions previously ordered by the Court.

A proposed Order approved by counsel is submitted herewith.

Dated this 14th day of September, 2010.

First National Bank of Omaha, Defendant,

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Attorney for Plaintiff, LOL Finance
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CERTIFICATE OF SERVICE

I certify that on the 14th day of September, 2010, I electronically filed the foregoing document with the clerk of the court by using the CM/ECF system, which will send a notice of electronic filing to the following:

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